



**RESPONSE UNDER 37 CFR 1.116  
- EXPEDITED PROCEDURE -  
EXAMINING GROUP ART UNIT 3739  
PATENT**

**Atty. Docket No.: 2878(203-3441)**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant(s):** David S. Keppel

**Examiner: Michael F. Peffley**

Serial No.: 10/728,259

Group: Art Unit 3739

Filed: December 4, 2003

Dated: October 2, 2006

For: **VARIABLE OUTPUT CREST FACTOR  
ELECTROSURGICAL GENERATOR**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL FORM**

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. § 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity under 37 C.F.R. § 1.9 and 1.27 is enclosed.
- ☒ No additional fee is required.

The fee has been calculated as shown below:

| THIS FEE HAS BEEN CALCULATED AS SHOWN BELOW:  |                                  |       |                                 |               |              |                 |    |                         |            |
|---|----------------------------------|-------|---------------------------------|---------------|--------------|-----------------|----|-------------------------|------------|
|   | (Col. 1)                         |       | (Col. 2)                        | (Col. 3)      | SMALL ENTITY |                 |    | OTHER THAN SMALL ENTITY |            |
|   | CLAIMS REMAINING AFTER AMENDMENT |       | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA |              | ADDIT. RATE FEE | OR | RATE                    | ADDIT. FEE |
| TOTAL   | 21*                              | MINUS | 21**                            | =             | X 25         | \$              |    | X 50                    | \$ 0       |
| INDEP.  | 4*                               | MINUS | 4**                             | =             | X 100        | \$              |    | X 200                   | \$ 0       |
| FOR FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |                                  |       |                                 |               | X 180        | \$              |    | X 360                   | \$ 0       |
|   |                                  |       |                                 |               | TOTAL        |                 |    | OR TOTAL                | \$ 0       |
|   |                                  |       |                                 |               | ADDIT. FEE   | \$ -0-          |    |                         |            |

\* If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACES less than 3, enter "3".  
 The Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service afirst class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on date below.

Dated: October 2, 2006

~~Edward C. Meagher~~

- [ ] Please charge Deposit Account No. 21-0550 in the amount of \$\_\_\_\_. Two (2) copies of this sheet are enclosed.
- [ ] A check in the amount of \$\_\_\_\_ is enclosed.
- [X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



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**PATENT**  
**Attorney Docket No.: 2878(203-3441)**  
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|--|------------------------------|
| Applicant(s): David S. Keppel                                  | Examiner: Michael F. Peffley |
| Serial No.: 10/728,259   | Group: Art Unit 3739         |
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**37 CFR 1.116 AMENDMENT AFTER FINAL OFFICE ACTION**

Sir:

In response to the Office Action of the United States Patent and Trademark Office dated July 31, 2006, please consider the following remarks:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 8 of this paper.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on the date shown below as first class mail, postpaid in an envelope, addressed to: Attn: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: October 2, 2006

  
Edward C. Meagher